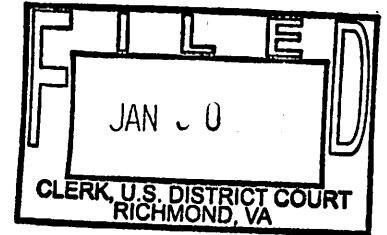


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



TREVOR FITZGIBBON,

Plaintiff,

v.

Civil Action No. 3:19cv477

JESSELYN A. RADACK,

Defendant.

ORDER

Having considered the defendant's MOTION TO SEAL (ECF No. 8), the supporting memorandum, and the Objection to Motion to Seal (ECF No. 12) filed by Eugene Volokh, a non-party, the plaintiff's RESPONSE AND MEMORANDUM IN SUPPORT OF OPPOSITION TO MOTION TO SEAL (ECF No. 21), the NOTICE OF WITHDRAWAL OF MOTION TO SEAL (ECF No. 22), and the Reply to Notice of Withdrawal of Motion to Seal (ECF No. 31) filed by Eugene Volokh, a non-party, it is hereby ORDERED that the MOTION TO SEAL (ECF No. 8) is denied as moot; provided that, however, because the exhibit (Settlement Agreement) which was the subject of the MOTION TO SEAL is mentioned extensively in the Complaint and the Amended Complaint, neither of which is under seal, and because there is no reason to maintain the document under seal in view of the fact that there is no objection to the quoted parts of the Settlement Agreement that appear in the Complaint or the Amended Complaint, it is hereby ORDERED that the SETTLEMENT

AGREEMENT (ECF No. 11) shall be restored to the public record; and it is further ORDERED that the references therein to personal identifiers of third-parties and of the parties shall be redacted from the SETTLEMENT AGREEMENT that is filed pursuant to this ORDER and made available to the public, including the objector, Eugene Volokh. Counsel for the plaintiff shall make the redactions and the filing herein required by February 4, 2020.

The Clerk shall send a copy of this Order to Eugene Volokh.

It is so ORDERED.

/s/ *REP*
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: January 30, 2020